

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-CV-172-D

WILLIAM C. MANN, )  
Plaintiff, )  
v. ) **ORDER**  
M. DALE SWIGGETT, )  
Defendant. )

On October 27, 2010, the court held a hearing on all pending motions. As explained in open court and incorporated herein by reference, the court converted the document docketed as defendant's motion to stay [D.E. 13] into a motion to set aside entry of default. See Fed. Civ. P. 55(c). After considering the entire record, the evidence presented, and the governing standard, the court found good cause to set aside the entry of default. See, e.g., Colleton Prep. Acad., Inc. v. Hoover Universal, Inc., 616 F.3d 413, 417–20 (4th Cir. 2010). Thus, the court granted the motion to set aside [D.E. 13]. The court also denied plaintiff's motion for default judgment [D.E. 9].

Defendant's answer or other response to the complaint is due November 24, 2010. Finally, the court admonished defendant concerning the court's expectation that he abide by the Federal Rules of Civil Procedure and the local rules of this court and warned him about possible sanctions for failure to comply. See, e.g., Hathcock v. Navistar Int'l Transp. Corp., 53 F.3d 36, 40–41 (4th Cir. 1995).

SO ORDERED. This 28 day of October 2010.

  
JAMES C. DEVER III  
United States District Judge